

REMARKS

Status of the Claims

Claims 1-80 are pending in the application.

Claims 5, 9-18, 21, 23-25, 28-52, 56 and 58-80 have been withdrawn from consideration.

Claims 1-4, 6-8, 19, 22, 26, 27, 53-55 and 57 have been rejected.

By way of this amendment, claims 1, 2, 19, 26, 53, 54 and 56 and cancel claims 3-18, 20-25, 27-52 and 57-80.

Upon entry of this amendment, claims 1, 2, 19, 26 and 53-56 will be pending.

Summary of Amendment

Claims 1, 2, 19, 26, 53, 54 and 56 have been amended to more clearly define the invention.

Applicants respectfully point out that the Official action appears in error in indicating that claim 56 was withdrawn and claim 57 contained elected and non-elected subject matter.

Applicants respectfully point out that claim 53, 54 and 56 contained elected and non-elected subject matter and claim 57 only contained non-elected subject matter.

Specification

The specification has been objected to for informalities. Applicant has amended the specification, including the Title, as appropriate. Applicants respectfully point out that the description of Figure 5 does refer to B which shows "The extent of pulmonary metastasis was determined by the weight of the lungs dissected out from the sacrifice mice two and half weeks after the removal of the primary subcutaneous tumors."

Applicant respectfully requests that the objections to the specification be withdrawn.

Abstract

The Abstract has been objected to for informalities. Applicant has amended the Abstract to correct the typographical error.

Applicant respectfully requests that the objections to the Abstract be withdrawn.

Sequence Listing

In response to the Examiner's objection (Paragraph 6 of the Office Action) regarding the Sequence Listing, Applicants have amended the specification to identify the Sequences listed in Pages 27-28 and 35. Applicants also provide an amended computer readable form for the Sequence Listing with a Statement that the content of the paper and computer readable form are the same.

Claim Objections

The Claims have been objected to for informalities. Applicant has amended claims 1, 2, 19, 20 and 26 to include the spelled out term "extracellular matrix" in place of the abbreviation "ECM." In addition, claims 19, 20, 22 and 26 have been amended per the Examiner's suggestion.

Applicant respectfully requests that the objections to the claims be withdrawn.

Rejections under 35 U.S.C. 112, first paragraph

Claims 1-4, 6-8, 19-20, 22, 26-27, 53-55 and 57 are rejected under 35 U.S.C. 112, first paragraph, because it is asserted that the claims contain subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Applicants respectfully disagree.

The claims clearly refer to subject matter that described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor, at the time the application was filed, had possession of the claimed invention.

Applicant respectfully requests that the rejection of claims 1-4, 6-8, 19-20, 22, 26-27, 53-55 and 57 under 35 U.S.C. 112, first paragraph, for failing to comply with the written description requirement, be withdrawn.

Claims 1-4, 6-8, 19-20, 22, 26-27, 53-55 and 57 are rejected under 35 U.S.C. 112, first paragraph, because it is asserted that the specification, while being enabling for the protein set forth in SEQ ID NO:1, does not reasonably provide enablement for any fragment thereof or any homologous peptide thereof. Applicants agrees that the protein set forth in SEQ ID NO:1 is enabled but respectfully disagree with respect to the asserted lack of enablement for the other subject matter.

The claims as amended are enabled by the specification such that one skilled in the art could practice the claimed invention.

Applicant respectfully requests that the rejection of claims 1-4, 6-8, 19-20, 22, 26-27, 53-55 and 57 under 35 U.S.C. 112, first paragraph, for failing to comply with the enablement requirement, be withdrawn.

Rejections under 35 U.S.C. 112, second paragraph

Claims 1-4, 6-8, 19-20, 22, 26-27, 53-55 and 57 are rejected under 35 U.S.C. 112, second paragraph, as failing to set forth the subject matter, which applicant(s) regard as their invention.

Claims 1 and 2 have been amended to correct the Markush format used. Claims 4 and 6-7 have been canceled and the rejection as applied to those claims is moot.

Applicant respectfully requests that the rejection of claims 1-4, 6-8, 19-20, 22, 26-27, 53-55 and 57 under 35 U.S.C. 112, second paragraph, for being indefinite, be withdrawn.

Rejections under 35 U.S.C. 102,

Claims 1-8, 19, 26, 53-55 and 57 are rejected under 35 U.S.C. 102(b) as being anticipated by Davis et al. (U.S. Patent No. 6,441,137, August 27, 2002), based on the broad recitation of "homologous peptide thereof".

The claims have been amended to distinguish the claimed invention from the subject matter disclosed in Davis et al. As amended, the limitations in the claims are not met by the reference.

Applicant respectfully requests that the rejection of claims 1-8, 19, 26, 53-55 and 57 under 35 U.S.C. 102, for being anticipated by Davis et al., be withdrawn.

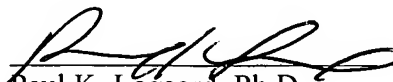
Conclusion

In view of the foregoing, Applicant submits that the claims are in condition for allowance. Applicant respectfully requests that claims 1, 2, 19, 26 and 53-56 be allowed at this time.

An early indication of allowability and notice of allowance is earnestly solicited. Applicant invites the Examiner to contact the undersigned at 215.665.5592 to clarify any unresolved issues raised by this response.

As indicated on the transmittal accompanying this response, the Commissioner is hereby authorized to charge any debit or credit any overpayment to Deposit Account No. 50-1275.

Respectfully submitted,


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